

REMARKS / ARGUMENTS

Claims 1-26 are pending in the present application. Of these claims, 1 and 14 are independent.

Claims 1-27 were rejected as being unpatentable over Taylor (US Patent No. 6,254,642) in view of Hasson (US Patent No. 5,658,272).

Discussion

Applicant respectfully disagrees with the Examiners assertion that the combination of Taylor and Hasson render independent claims 1 and 14 as being obvious.

The expandable structure 34 of Hasson prevents premature withdrawal of the device and, to this end, the expandable structure 34 is placed at the distal end of the device. When applying such a feature to the device of Taylor, Applicant submits that the fastener of Taylor would be proximal to the expandable structure since Taylor teaches to apply the expandable structure 34 at the distal end. Claim 1, on the other hand, recites that the fastener is positioned distal to the expandable structure which Applicant submits would not have been obvious in light of Taylor and Hasson.

Applicant further submits that the asserted combination of Taylor and Hasson would render Hasson inoperable. Hasson positions the balloon at the distal end to prevent premature withdrawal of the device. If the balloon were moved proximal to the fastener of Taylor, as apparently asserted by the Examiner in the rejection, such a modification would render Hasson inoperable since it would no longer prevent premature withdrawal of the device. As such, the balloon of Hasson must be positioned distal to the fastener rather than the fastener being positioned distal to the expandable structure as claimed.

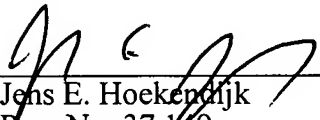
CONCLUSION

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-412-3322.

Respectfully submitted,

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Date



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